

REMARKS

Applicants reply to the Notice of Non-Compliant Amendment mailed June 3, 2009 within one-month in compliance with 37 CFR 1.121. Claims 1, 4-7, 9, 11-13 and 15-24 are pending in the application and the Examiner rejects claims 1, 4-7, 9, 11-13 and 15-24. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter is added by the amendments.

35 U.S.C. §112 Rejections

The Examiner rejects claims 5 and 19 under 35 U.S.C. §112, second paragraphs, as being indefinite. Applicant amends Claim 5 to depend on claim 1. Applicant amends claim 19 to clarify the phrases noted by the Examiner.

35 U.S.C. §103(a) Rejections

The Examiner rejects claims 1, 4-5, 11-13, 15-20 and 22-24 under 35 U.S.C. §103(a) as being unpatentable over Cogger et al., U.S. Patent No. 6,032,184 (“Cogger”) in view of Buffalo et al., U.S. Patent No. 6,957,257 (“Buffalo”), further in view of Jones et al., U.S. Patent No. 6,219,648 (“Jones”), and further in view of what was well known in the art. Applicants respectfully disagree with this rejection, but present amendments and new claims in order to clarify the patentable aspects of the claims and to expedite prosecution.

Cogger is limited to opening and tracking trouble tickets using the Internet (Abstract). A user is able to add to, or edit, the trouble ticket when a system fault is detected. Cogger further discloses populating at least part of the trouble ticket in order to simplify the input process of the trouble ticket. Buffalo is cited in the Office Action for disclosing implementing tracking modifications made through a network management engine on one or more networks. Buffalo discloses “automatically providing infrastructure maintenance in response to a customer form/report/ticket in a communications network” (Col. 3, ln. 1-4). Moreover, Jones discloses “an apparatus and method for monitoring customer or subscriber generated trouble reports or tickets in a telecommunications or special services environment” (Col. 5, ln. 38-40). Furthermore, Jones is cited in the Office Action for disclosing comparing repair status information to a pre-established service level agreement specifying a level of service expected for repair of a failing component by an owning group.

However, the cited references do not disclose or contemplate adding and manipulating components of a network. In the rejection, the Examiner states that “Applicant does not form a

correlation between the component being loaded...and the plurality of components being tracked.” (Office Action, p. 6). Applicants amend independent claims 1, 6 and 9 to establish such a correlation. Therefore, the component loaded, linked and modified by the network management engine may no longer be interpreted to be the management software running on the network management engine. Applicants request the Examiner to reconsider the Official Notice taken in light of these amendments.

Furthermore, Cogger discloses pre-populating a portion of a problem ticket and the ability of the user to identify an owning group and to route the problem ticket to the owning group. Significantly, Cogger fails to disclose automatically identifying components related to a failing component, automatically determining an owning group of the failing component, and automatically routing the problem ticket to the owning group. None of the cited references disclose this feature.

As such, neither Cogger, Buffalo, Jones, nor any combination thereof, disclose or contemplate at least, the following unique combination of elements, as recited in amended independent claim 1 (emphasis added).

loading, by a network management engine, a first component for execution;
linking, by the network management engine, the first component to a network, wherein the first component is one of a plurality of components linked to the network;
modifying, by the network management engine, operating parameters of the first component; ...
detecting a failing component based at least in part on the tracking changes;
in response to the detecting, the network management engine
automatically:
performing an impact analysis to identify related components, ..
generating a problem ticket, ...
determining an owning group of the failing component based upon the tracking information; and
routing the problem ticket to the owning group; ...

Independent claims 6 and 9 recite similar features as those discussed in connection with claim 1. For at least these reasons, Applicant respectfully submit that none of the cited references, alone or in combination, disclose or contemplate all of the elements of independent claims 1, 6, and 9,


and Applicants therefore respectfully submit that independent claims 1, 6, and 9 are allowable over the cited references.

Additionally, dependent claims 4-5, 7, 11-13 and 15-24, variously depend from independent claims 1, 6, and 9, so dependent claims 4-5, 7, 11-13 and 15-24 are allowable over the cited references for the reasons set forth above, in addition to their own unique features.

In view of the above remarks, Applicants respectfully submit that all pending claims properly set forth that which Applicant regards as their invention and are allowable over the cited references. Accordingly, Applicant respectfully requests allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. The Commissioner is authorized to charge any fees, including an extension fee, due to Deposit Account No. 19-2814.

Respectfully submitted,

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